

HOUSE CONCURRENT RESOLUTION NO. 1004

A CONCURRENT RESOLUTION, Making certain legislative findings about the constitutionality of the federal health care system.

WHEREAS, the Legislature finds that no authority exists in the United States Constitution to justify the enactment of any federal statute which interferes with the right of any person or entity to choose their personal physician, private health care system, or private health care coverage; and

WHEREAS, the Legislature further finds that no authority exists in the United States Constitution to justify the enactment of any federal statute which imposes any penalty, tax, fee, or fine, of any type, for declining to purchase health care coverage or participate in any particular health care system or plan:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-sixth Legislature of the State of South Dakota, the Senate concurring therein, the Legislature finds that in the absence of such specific authority, and in conjunction with the unenumerated and reserved powers retained by the people and the states pursuant to the ninth and tenth amendments, all such federal legislation is inherently unconstitutional.

Adopted by the House of Representatives,
Concurred in by the Senate,

February 7, 2011
February 24, 2011

Val Rausch
Speaker of the House

Karen Gerdes
Chief Clerk of the House

Matt Michels
President of the Senate

Trudy Evenstad
Secretary of the Senate